

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2003-299

May 7, 2003

MAINE PUBLIC SERVICE COMPANY
Request for Approval of a Special
Rate Contract with J. Paul Levesque
& Sons, Inc.

ORDER APPROVING
CONTRACT

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, the Commission approves Maine Public Service Company's (MPS's) proposed Special Rate Contract (contract) with J. Paul Levesque & Sons, Inc. (Levesque).

DISCUSSION AND DECISION

On April 24, 2003, MPS filed with this Commission a proposed Special Rate contract with Levesque. This one-year contract expires on March 31, 2004, one month into the next stranded cost period.

We have reviewed the contract and find that the revenue loss (relative to the retail rates) associated with this contract is not large enough to present significant risk to MPS's other customers. Moreover, because this contract extends only one month into the next stranded cost period, approving it will have little effect on other ratepayers. Therefore, we will allow contract to go into effect but make no finding at this time regarding its prudence or the appropriate ratemaking.

Accordingly, we

ORDER

That the contract with J. Paul Levesque & Sons, Inc., filed by Maine Public Service Company on April 24, 2003, is hereby approved and may become effective as of April 1, 2003, as requested by MPS.

Dated at Augusta, Maine, this 7th day of May, 2003.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR:

Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.